

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No.	CV 12-9661 PA (RZx)	Date	December 14, 2012
Title	Martha Alvarez v. Wells Fargo Bank, N.A., et al.		

Present: The Honorable	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE
------------------------	--

Paul Songco	Not Reported	N/A
Deputy Clerk	Court Reporter	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
-----------------------------------	-----------------------------------

None	None
------	------

Proceedings: IN CHAMBERS - COURT ORDER

Before the Court is a Motion to Dismiss and a Motion Strike Portions of Plaintiff's Complaint filed by Defendant Wells Fargo Bank, N.A. ("Defendant"). [Docket Nos. 7-8.] The Court is in receipt of a First Amended Complaint filed by plaintiff Martha Alvarez ("Plaintiff") on December 7, 2012. Plaintiff has filed the First Amended Complaint as a matter of right pursuant to Federal Rule of Civil Procedure 15(a)(1)(B), which allows a party to "amend its pleading once as a matter of course within . . . 21 days after service of a motion under Rule 12(b) . . ." Therefore, Defendant's Motion to Dismiss Plaintiff's Complaint and Motion to Strike Portions of Plaintiff's Complaint are denied as moot. The hearing calendared for December 17, 2012, is vacated and the matter taken off calendar.

IT IS SO ORDERED.